

June 27, 2017

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: In the Matter of Expanding Consumers' Video Navigation Choices, Commercial Availability of Navigation Devices, MB Docket No. 16-42, CS Docket No. 97-80

Dear Ms. Dortch:

During the Unlock the Box debate, the Future of TV Coalition, a group of opponents of the previous FCC's proposed approach to bring consumers more competition and choice in their MVPD set-top boxes, argued that FCC action was unnecessary because of pending voluntary industry action that would bring consumers more choice, chiefly in the form of more capable apps for select devices. The Coalition called this the "Ditch the Box" approach.¹

The change in leadership at the FCC has shelved, at least temporarily, Public Knowledge's preferred approach for reforming the MVPD set-top box market. Unfortunately it appears that the pay-TV industry has also shelved its plans to bring consumers some measure of increased choice. As the attached reports indicate, in the absence of pressure from regulators the incumbent MVPD players have little motivation to unlock, ditch, or otherwise rid consumers of the unloved rented box.

This pattern is not unfamiliar, and should inform the FCC's willingness to accept industry promises in lieu of regulation more generally.

Respectfully submitted,

/s/ John Bergmayer

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¹ See <http://futureoftv.com/wp-content/uploads/2016/06/FOTV-DitchTheBox-proposal-outline.pdf>.